

PROB 12B
(12/98)

United States District Court

For

The Western District of New York

Request for Modifying the Conditions or Term of Supervision

With Consent of the Offender

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Torin Jonathan Finver

Case Number: 1:19CR00243-001

Name of Sentencing Judicial Officer: Honorable William M. Skretny, Senior United States District Judge

Date of Original Sentence: June 24, 2020

Original Offense: Importation of Controlled Substances, in violation of 21 U.S.C. §§ 952(a), 960(a)(1), and 960(b)(3)

Original Sentence: Time served, followed by one (1) year of supervised release. Special Conditions include: substance abuse testing/treatment; mental health evaluation/treatment; notify of any opiate based pain medication; and search/seizure. Special assessment of \$100.00 (paid in full).

Modification: On January 19, 2021, the subject's conditions of supervision were modified to include two (2) months of Location Monitoring (home incarceration component) as a result of the subject's continued use of illicit substances.

Type of Supervision: Supervised Release

Date Supervision Commenced: June 24, 2020

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

The Location Monitoring condition ordered on January 19, 2021 is extended until the subject's term of supervision expires on June 23, 2021.

CAUSE

As a result of the subject's continued use of illicit substances, on January 19, 2021, the subject's conditions of supervised release were modified to include Location Monitoring (home incarceration component) for a period of two months. On March 15, 2021, the subject reported to the U.S. Probation Office for a random drug test. Mr. Finver submitted a urinalysis sample which tested positive for fentanyl. The subject denied the use of this substance but admitted to using cocaine on March 12, 2021. He advised having a small amount of this substance stored in his residence. As a result of the subject's recent use, we are requesting to modify the current condition already in place. Mr. Finver will remain linked with outpatient drug and mental health treatment during this timeframe as well to help address his addiction issues.

RE: TORIN JONATHAN FINVER
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Mr. Finver was informed that any further noncompliance may result in a violation being filed with the Court. The subject has readily agreed to this modification as indicated by his signature on the attached waiver.

Reviewed by:



Peter J. Lepiane
Supervising U.S. Probation Officer

Respectfully submitted,

by 

Janelle L. Dzina
U.S. Probation Officer Specialist
Date: March 22, 2021

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

3/23/2021
Date

PROB 49
(Revised 11/98)

**United States District Court
Western District of New York**

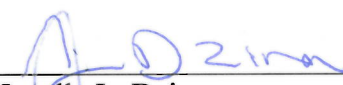
**Waiver of Hearing to Modify Conditions
Of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing. I further understand that all previously imposed conditions will remain in effect.


I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The Location Monitoring condition ordered on January 19, 2021 is extended until the subject's term of supervision expires on June 23, 2021.

Witness:


Janelle L. Dzina
U.S. Probation Officer Specialist

Signed:


Torin Jonathan Finver
Supervised Releasee



Date